

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS AT THE COURTHOUSE IN  
SUNDANCE, CROOK COUNTY, WYOMING

TUESDAY, MARCH 4, 2014

8:00 o'clock a.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

The Pledge of Allegiance was recited to the Flag.

The minutes from the previous meetings were approved.

Mary Kuhl, County Treasurer, Steve Stahla, County Sheriff, Lisa Fletcher, County Assessor, Tina Wood, Clerk of District Court and Joe Baron, County Attorney were present to go over items of interest within their departments. Also present was Jill Mackey, County Library Director.

The following bills were paid:

Total Wages		156259.25
<u>CLAIMANT</u>	<u>PURPOSE</u>	<u>AMOUNT</u> <u>ALLOWED</u>
AFLAC	Insurance	1682.59
Blue Cross Blue Shield of Wyoming	Health Insurance	54384.61
Col. Life & Accident Ins. Co.	Insurance	48.07
Crook County Payroll Tax Account	Withholding & Social Security	50828.07
Great-West Trust Company, LLC	Deferred Compensation	780.00
NCPERS Wyoming	Life Insurance	208.00
New York Life Insurance Company	Life Insurance	480.23
VSP	Vision Insurance	649.79
WY Department of Workforce Services	Worker's Compensation	2125.27
Wyoming Retirement System	Retirement	30597.61
Wyoming Educator's Benefit Trust	Life Insurance	196.04
A & B Welding Supply Co., Inc.	Band Saw Blade	58.44
AlSCO/American Linen	Shop Towels & Dust Mops	284.53
American Welding & Gas, Inc.	Parts	650.90
AT Conference	Conferencing Services	6.29
AT & T Mobility	Cell Phone	1227.94
Bam Electric, LLC	Parts & Labor	1957.50
Bearlodge Engineering & Surveying	Engineering Services	2505.00
Big Horn Tire Inc.	Batteries, Tires & Tire Disposal	1748.90
Black Hills Chemical Co.	Brush Assembly	293.99
Black Hills RC&D	MPB-Coordinator Funding	1000.00
Brian B. Wells	Mileage	112.00
Christina R. Wood	Mileage & Supplies	306.27
City of Gillette	Water	6.00
City of Sundance	Water	1587.57
Clerk of District Court	Jury Account Funding	3000.00
Clinical Lab of the Black Hills	Autopsy	1602.00
Coastal Chemical Co., LLC	Mobile Delvac 1300 Super 15W40	1633.74
Coffee Cup Fuel Stop	Fuel	86.43
Collins Communications	Internet	92.70
Combined Laboratories Facility	Testing	84.00
Connie D. Tschetter	Mileage	296.80
Crescent Electric Supply Company	Bulbs	29.56
Croell Redi-Mix	Road Base & Rip Rap	22200.69
Crook County	Employer Paid Benefits from Grants	1091.08
Crook County Medical Service Dist.	Prisoner Food & Meals	4294.09
Crook County Treasurer	Postage	34.67
Custom Auto & Truck	Parts & Labor	383.23
Dakota Business Center	Contract Base Rate	80.40
Decker's Market	Groceries	47.03
Department of Health	Rental for State Vehicle	250.00
Double Star Computing	Onsite Computer Service & Equipment	2350.83
Doug Leis	Mileage & Meals	344.69
Fastenal Company	Parts	141.86
Gantz Backhoe Service	Contract Hauling	6668.55
Gari G. Gill	Snow Removal	191.25
Gearhart Fuel & Repair, Inc.	Gas & Diesel	11245.79
Grimm's Pump & Industrial Supply	Koshin Pump	896.00
Gundy's Repair	Ignitor & 3rd Quarter Maintenance Contract	2074.42
Heartland Paper Company	Courthouse Supplies	274.26

Hulett Booster Club	Post Prom Donation	100.00
IAAI	Membership Fees	75.00
Jack's Truck & Equipment	Parts	4628.91
James W. Hadley	Mileage	296.80
Jean Lenz	Bailiff Duties	120.00
Joseph Michael Baron	Mileage	661.92
Joshua Idler	Snow Removal	234.00
JT Vehicle Systems	Installation	3300.00
Kelly B. Dennis	Mileage	67.20
Kimball Midwest	Parts	75.64
Leo Riley & Co.	County Audit	10000.00
Mary R. Kuhl	Mileage & Meal	306.11
Max Robert Masters	Mapping Contract for GIS & Subdivisions	3000.00
Midwest Cancer Screening	Pap Smears	112.55
Moorcroft Leader	Publishing	30.00
Moorcroft Post Prom	Post Prom Donation	100.00
Movin' On Kennels	Dog Food	94.00
Mullinax Coal Sales	Coal	1362.24
Newcastle Extinguisher	Extinguisher Inspections	1339.46
Northplains Services, LLC	Gravel Hauling	35774.56
O'Donnell Batteries	Radio Batteries	66.70
Ohio Ad Valorem School	IAAO Course	550.00
Paetec	Telephone	213.68
Pitney Bowes Global	Postage Machine Leasing Charges	414.66
Powder River Energy Corp.	Electricity	4544.81
Powder River Office Supply, Inc.	Supplies	589.66
Powerplan BF	Cutting Edge	345.21
Quality Hardware & Supply	Supplies	29.97
Quill Corporation	Supplies	64.82
Range Telephone Cooperative, Inc.	Telephone	3018.49
Rasmussen Mechanical Services, Inc.	Software, HVAC Display Designs	760.80
Regional Health	Morgue Use	1218.00
Richoh USA, Inc.	Base Rate	787.90
Ringer Law, P.C.	Court Appointed Attorney Fees	75.00
Robert's Machine & Repair	Parts & Labor	1080.34
Rosencranz Construction	Materials & Labor	6040.00
RT Communications	Telephone	1413.83
Sara Fleenor	Lunch	15.58
Sundance Dillon's Hardware Inc	Supplies	327.90
Sundance Equipment Company	Parts	106.77
Sundance Post Prom	Post Prom Donation	100.00
Sundance State Bank	Direct Deposit Fees & Deposit Books	61.77
Sundance Subway	Meals	345.74
Sundance Times	Publishing	1229.25
Thos. Y. Pickett & Co., Inc.	Balance on 2014 Valuation Contract	4300.00
TMS South	Metrofit Pneumatic Cart	597.96
Tongue River Communications	Cable	126.00
Tower Valley Ag Supply	Gas & Diesel	2914.42
Town of Hulett	Water	54.80
Town of Moorcroft	Water	63.00
Tracy Motor Company	Parts	3690.14
UNUM	Disability Insurance	273.86
Urbin Law Office, LLC	Court Appointed Attorney Fees	75.40
Vehicle Lighting Solutions, Inc.	Mounting Kits	494.22
Vernon Montgomery	Bailiff Fees	120.00
Visa	Supplies & Travel Expenses	1947.16
Volunteer Fireman's Retirement Fund	Volunteer Firemen's Pension Fund	275.00
W.D. Larson Companies LTD., Inc.	Supplies	111.58
Walmart Community/GECRB	Supplies	29.31
Western Stationers	Supplies	417.02
William Dewey	View Fees for Fite Road	50.00
WY Department of Environmental	Bridge	323.46
WY Department of Workforce Services	Worker's Compensation	609.41
WY Retirement System	Rehired Retiree Contributions	1126.29
WYDOT Motor Vehicle Division	New Plate	5.00
WYDOT-Financial Services	Vehicle Titles	790.50
Wyoming Department of Workforce Services	Unemployment Benefits	32.69
Wyoming Machinery Company	Parts	5418.97

Wyoming State Bar	2014 Directory	41.00
Wyoming Taxpayers Association	Membership	195.00
Total		478540.39

The following monthly collections were collected:

County Clerk	\$12,691.00
County Sheriff	\$6,690.00
Clerk of District Court	\$3,625.22
Circuit Court	\$26,246.10
Public Health (January)	\$4,232.07

Mary Kuhl, County Treasurer, submitted the following monthly report of receipts and disbursements for month end February 2014:

Total Receipts	\$1,454,768.62
Disbursements:	
Towns	\$10,768.37
County Boards	\$154,303.24
State & Local School	\$839,216.75
DOT/DOR/Rebate	\$273,499.49
Redemption/S. Park	\$1,013.35
Total	\$1,278,801.20

On May 6, 2014 at 2:00 o'clock p.m. in the Commissioner's Room at the Courthouse in Sundance, Wyoming, the Board of Crook County Commissioners will be accepting requests for Twenty-Four Hour Special Malt Beverage Permits and Twenty-Four Hour Special Catering Permits for biker rally week. Applications may be obtained from the Crook County Clerk's Office. The Application and fees must be returned to the Crook County Clerk by or before May 6, 2014 at 2:00 o'clock p.m. Any applications received after 2:00 o'clock p.m. on May 6, 2014 will not be considered.

In August 2014, the Board of County Commissioners will hold their regular meeting on Monday, August 4<sup>th</sup> and Tuesday, August 5<sup>th</sup>, 2014, due to the motorcycle rally.

Kelly moved to appoint the following Board Member to fill a vacancy:

Trudy Materi-Sixth Judicial District Child Support Authority Board – Unexpired term, which expires June 2016

Jeanne seconded, all ayes, motion carried. Also present was Tina Wood, Clerk of District Court.

Morgan Ellsbury, Road and Bridge Foreman and Randy Gill, Facilities Maintenance Foreman, gave a monthly report.

Kelly moved to authorize the Road and Bridge Foreman to impose and lift temporary weight limits on all county roads as weather and ground condition necessitate so as to cause the least amount of damage to the county roads, as authorized in Resolution No. 12-2007 Setting Size and Weight Limits on County Roads in Crook County, Wyoming. Jeanne seconded, all ayes, motion carried.

Jeanne moved to approve for Randy Gill, Facilities Maintenance Foreman, to have the authority to issue the Notice to Proceed on the Fire Cache Addition Project. Kelly seconded, all ayes, motion carried.

Adjourned for lunch at 12:13 o'clock p.m.

1:00 o'clock p.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

Jill Mackey, County Library Director, Marge Myers and Tami Baron, Members, Crook County Library Board, gave a monthly report. Tami Baron informed the Board that Bill Taylor, Weston County Extension Educator, is willing to do a Board Training for all of the County Board Members and Tami is willing to do the work to prepare for the training and asked the Board if they want her to do that and requested them to fund this training. The Board told her to see what kind of response there is for the training and report back to them during their April meeting before they will make a decision. Brian Sebade, UW Extension Educator and Sara Fleenor, University of Wyoming 4-H Educator, gave a monthly report. Sandi Kellogg, Member, Crook County Fair Board and Linda Schelldorf, County Fair Coordinator/Secretary, gave a monthly report. Becky Tinsley, County Public Health Nurse Manager, gave a monthly report. Becky requested to close the Public Health Office for one day for an Emergency Preparedness Training Exercise. The Board gave their approval.

Present were Joe Baron, County Attorney and Tim Lyons, Growth and Development Administrator. The Board reviewed the Viewer's Report received from William C. Dewey, Viewer, in the matter of the Petition to Vacate a Public Road known as the Fite Road. Discussion was held. Kelly moved to approve the following resolution:

**RESOLUTION NO. 2014-2**

**TO COMMENCE PROCEEDINGS TO VACATE A PORTION OF A PUBLIC ROAD, KNOWN AS THE FITE ROAD IN THE SPRING CREEK SUBDIVISION**

WHEREAS a Petition was filed by Viola C. Dennis, the sole landowner with the Board of County Commissioners to vacate a public road in the Spring Creek Subdivision, known as the Fite Road;

WHEREAS an agreement was entered into with Viola C. Dennis, to pay for the costs to commence proceedings to determine whether or not to vacate the Fite Road;

WHEREAS the proposed vacation is located upon the following described property, to wit:

Tract A & B in the Spring Creek Subdivision, a Minor Subdivision, which is located in the SW1/4SW1/4, Section 4, Township 51 North, Range 66 West, 6th P.M. Crook County, Wyoming.

WHEREAS Wyoming Statute 34-12-106 through 111 require that any public road be altered or vacated in a manner provided by law for the alteration or discontinuance of highways and such laws are set forth at Wyoming Statute 24-3-101, et sec., that allows for the establishment, alteration, and/or vacation of County roads; and

WHEREAS a viewer was appointed pursuant to Wyoming Statute 24-3-105 and 106 who filed a written report with the Board of County Commissioners recommending the proposed route be vacated.

THEREFORE BE IT RESOLVED that proceedings be commenced to determine whether or not to vacate the Fite Road set forth above pursuant to Wyoming Statute 24-3-101, et sec.

Dated this 4<sup>th</sup> day of March, 2014.

BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING  
BY J. W. HADLEY, CHAIRMAN, KELLY B. DENNIS, VICE-CHAIRMAN, JEANNE A. WHALEN, MEMBER  
State of Wyoming                     }  
   }  
County of Crook                        }

Signed or attested before me on March 4, 2014 by J. W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member, Board of Crook County Commissioners.

CONNIE D. TSCHETTER, CROOK COUNTY CLERK

Jeanne seconded, all ayes, motion carried.

Gari Gill, County Fire Warden/Interim Homeland Security County Coordinator, gave a monthly report. Discussion was held on the Homeland Security County Coordinator position. Also present was Steve Stahla, County Sheriff.

The meeting adjourned at 3:37 o'clock p.m.

Wednesday, March 5, 2014

8:00 o'clock a.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

The Pledge of Allegiance was recited to the Flag.

Joe Baron, County Attorney, reviewed with the Board a draft Working Agreement between Crook County, Wyoming and the USDA, Forest Service, Region 2 Black Hills National Forest, Bearlodge Ranger District for Bear Lodge Project Environmental Impact Statement.

Te Hansen informed the Board on the services they provide at the Bear Paw Kennel and Shelter. Also present was Sarah Pridgeon, Sundance Times.

Kelly moved to approve a Working Agreement between Crook County, Wyoming and the USDA, Forest Service, Region 2 Black Hills National Forest, Bearlodge Ranger District for Bear Lodge Project Environmental Impact Statement. Jeanne seconded, all ayes, motion carried. Also present were Joe Baron, County Attorney and Sarah Pridgeon, Sundance Times.

Joe Baron, County Attorney, Morgan Ellsbury, Road and Bridge Foreman, Tim Lyons, Growth and Development Administrator, Sarah Pridgeon, Sundance Times, Dick Conzelman, Lynn Conzelman, Jackson Stewart, Attorney for Belle Fourche Pipeline Company, Ken Dockweiler, Belle Fourche Pipeline Company and Ralph Knode, Strata Energy were present for the public hearing to determine if Belle Fourche Pipeline Company, Licensee, has substantially complied with the Policy on the Installation of Commercial Pipelines Along or Across County Roads, has mitigated the actual and reasonable public health and safety concerns as it actually reasonably relates to affected county roads, grant or disallow the Commercial Pipeline Licenses and determine if a second hearing is necessary. Oral comments were received and there were no objections. Discussion was held. Jeanne moved to approve a County Road Use and Fire Agreement by and between Crook County, Wyoming and Belle Fourche Pipeline Company, contingent upon receiving a letter of credit from Belle Fourche Pipeline Company which will be attached to the County Road Use and Fire Agreement, five (5) Commercial Pipeline Licenses Along or Across County Roads between Crook County, Wyoming and Belle Fourche Pipeline, five (5) Access or Turnout Permit Applications for Belle Fourche Pipeline and two (2) Rural Address Applications for Belle Fourche Pipeline Co., all on County Road Numbers 12, 68, 263, 164 and 16. Kelly seconded, all ayes, motion carried. The Board determined there will not be a need for a second hearing since there were no objections presented.

Morgan Ellsbury, Road and Bridge Foreman, gave a monthly report. Also present were Joe Baron, County Attorney, Jackson Stewart, Attorney for Butte Pipeline, Ken Dockweiler, Butte Pipeline, Ralph Knode, Strata Energy, Sarah Pridgeon, Sundance Times, Wayne Wilson, Attorney and Jim Bush.

Morgan Ellsbury, Road and Bridge Foreman, Joe Baron, County Attorney, Jackson Stewart, Attorney for Butte Pipeline, Ken Dockweiler, Butte Pipeline, Ralph Knode, Strata Energy and Sarah Pridgeon, Sundance Times were present for the continued hearing to consider rescinding the 1955 Order Crook County granted to Butte Pipeline. The matter was heard and discussion was held. Kelly moved to not rescind the 1955 Order Crook County granted to Butte Pipeline. Jeanne seconded, all ayes, motion carried.

Ralph Knode, Strata Energy, gave an update on items of interest.

Wayne Wilson, Attorney, Jim Bush, Joe Baron, County Attorney and Morgan Ellsbury, Road and Bridge Foreman discussed redevelopment of Green Mountain and Inyan Kara County Road No. 35. More information will be obtained prior to entering into an agreement to redevelop the road.

Adjourned for lunch at 12:08 o'clock p.m.

1:00 o'clock p.m. Present were Chairman James W. Hadley, Vice-Chairman Kelly B. Dennis, Member Jeanne A. Whalen and County Clerk Connie D. Tschetter.

Nels Smith, Member, Crook County Land Use Planning and Zoning Commission, (CCLUP&ZC), gave a monthly report. Tim Lyons, Growth and Development Administrator, gave a monthly report and a subdivision and deed report. Also present were Mike Easley and Joe Roth, PRECorp, Linda Tokarczyk, Rare Element Resources (RER), Sarah Anderson, Crook County Natural Resource District (CCNRD), Steve Kozel, USDA Forest Service, Joe Baron, County Attorney and Tonia Johnson.

Nels Smith, Member, CCLUP&ZC, presented the Board with a final draft of the 2014 Crook County Comprehensive Land Use Plan prepared and updated by the CCLUP&ZC as directed by the Board of County Commissioners of Crook County, Wyoming pursuant to and in accordance with W.S. 18-5-202(b). The CCLUP&ZC recommendation is for the Board to schedule a Public Hearing for the approval and adoption of the 2014 Crook County Comprehensive Land Use Plan for Crook County, Wyoming.

The following people gave an update on items of interest within their departments: Mike Easley and Joe Roth, PRECorp; Steve Kozel, USDA Forest Service; Linda Tokarczyk, RER and Sarah Anderson, CCNRD.

Tonia Johnson dba Crook County Saloon presented a written request for Michael and Tonia Johnson dba Crook County Saloon, to have permission to pursue a Twenty-Four Hour Catering Permit from the Town of Hulett. Kelly moved to give Michael J. and Tonia J. Johnson dba Crook County Saloon, permission to pursue a Special Twenty-Four Hour Catering Permit from the Town of Hulett, for the Old West Invitational Turkey Shoot taking place on May 8, 9, and 10, 2014 in Hulett, Wyoming. Jeanne seconded, all ayes, motion carried.

Jw Nuckolls discussed problems with the maintenance on Barlow Canyon and Ranch County Road No. 6. Also present was Morgan Ellsbury, Road and Bridge Foreman.

Kelly moved to approve a Bond for Jw Nuckolls, Secretary/Treasurer, Crook County Predatory Animal Control Board. Jeanne seconded, all ayes, motion carried.

The Board of County Commissioners will hold a public hearing on Wednesday, May 7, 2014 at 2:00 o'clock p.m., in the County Commissioners Room, Crook County Courthouse, Sundance, Wyoming, so that all interested parties may present written or oral comments on the proposed 2014 Crook County Comprehensive Land Use Plan to the Board of Crook County Commissioners.

The meeting adjourned at 3:04 o'clock p.m. to meet in special session on March 20, 2014 at 11:00 o'clock a.m., at R Place Bar and Grill located at 6 Hays Blvd. in Pine Haven, Wyoming, to attend a tri-county lunch meeting between Weston, Crook and Campbell Counties to discuss County Governments dealing with Federal Agencies and to meet in regular session on April 1 and 2, 2014 at 8:00 o'clock a.m., in the Commissioner's Room at the Courthouse in Sundance, Wyoming.

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James W. Hadley, Chairman

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Jeanne A. Whalen, Member

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Kelly B. Dennis, Vice-Chairman

Attested:\_\_\_\_\_

Connie D. Tschetter, County Clerk